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File No: 42681

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION**

In re:  NEWLEY BOWDEN WELCH aka BO WELCH dba NEWLEY WELCH AND SONS TRUCKING  Debtor.	Bankruptcy Case No. 18-29247 Chapter 13  <b>MOTION TO STAY DISMISSAL</b>
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The Bank of New York Mellon FKA The Bank of New York, as Trustee for the certificateholders of the CWABS, Inc., Asset-Backed Certificates, Series 2007-10 (“Secured Creditor”), through counsel, Brian J. Porter, respectfully requests the Court stay the dismissal of this case for the limited purpose of conducting hearing on the motion to terminate automatic stay as to Secured Creditor and for In-Rem Relief pursuant to 11 U.S.C.A. 362(d)(4). The request is based upon the filing of this bankruptcy minutes after the scheduled foreclosure sale took place.

Secured Creditor, in support of its motion, Creditor respectfully states:

1. A petition under Chapter 13 of the United States Bankruptcy Code was filed by the Debtor on December 13, 2018.

2. On December 13, 2018, Secured Creditor filed its motion to annul the stay.

3. The facts and circumstances underlying the basis for Secured Creditor's motion are set forth in the its motion filed on December 13, 2018.

**WHEREFORE**, Creditor requests the following:

1. That the Debtor's case be stayed from being dismissed for the limited purpose of hearing Secured Creditor's motion to terminate the automatic stay and entry of an order thereon with the case to be dismissed immediately thereafter.

2. For such other relief that the court deems proper.

DATED this 13<sup>th</sup> day of December, 2018.

/s/ Brian J. Porter

Brian J. Porter

Attorney for Movant

#### **MAILING CERTIFICATE**

The undersigned hereby certifies that a true and correct copy of the foregoing Motion to Stay Dismissal was mailed by first class mail, postage prepaid, or via ECF, this 13<sup>th</sup> day of December, 2018, to each of the following:

Newley Bowden Welch  
12556 South Brundisi Way  
Herriman, UT 84096  
Debtor

United States Trustee  
Via ECF

Lon Jenkins  
Via ECF  
Chapter 13 Trustee

David L. Fisher  
Via ECF  
Debtor's Attorney

/s/  
Brian J. Porter